IT IS HEREBY ORDERED AND ADJUDGED that plaintiff First City Pacific Inc. ("First City") take nothing from defendant Home Depot with respect to plaintiff's sole cause of action for declaratory relief, and that judgment is entered in favor of defendant Home Depot on plaintiff's sole cause of action for declaratory relief. Costs are to Home Depot. Application for fees and costs and any opposition thereto may be filed in ordinary course and the Court will maintain jurisdiction over same.

DATED: August 29, 2016

The Honorable Fernando M. Olguin